

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

STANLEY SADOWSKI, JR.,)	
)	
Plaintiff,)	Civil Action No. 22-1129
)	
v.)	Judge Cathy Bissoon
)	
UNITED STATES OF AMERICA,)	
)	
Defendant.)	

ORDER

Defendant’s Motion to Dismiss (Doc. 7) will be granted.

Plaintiff filed this action in a magisterial district in state court. The sum total of Plaintiff’s allegations are that he suffered “[d]iscrimination of delivery of mail.” Compl. (Doc. 1-1). No factual basis for this assertion is supplied. *See id.*

The United States removed the case to this federal Court, and has filed a Motion to Dismiss. Among other things, the government asserts that Plaintiff’s action is barred by sovereign immunity, he has failed to exhaust administrative remedies and his claim fails under the notice pleading standards. *See* Def.’s Br. (Doc. 8). The Court entered a response Order, *see* Doc. 9, Plaintiff’s deadline has long expired and no response has been filed.

For the reasons stated in Defendant’s briefing, dismissal is warranted based on sovereign immunity, Plaintiff’s failure to demonstrate the exhaustion of administrative remedies and under the notice pleading standards and *Iqbal/Twombly*. In light of Plaintiff’s failure to respond, the Court has no reason to believe that his pleadings can or will be cured by amendment. Accordingly, Defendant’s Motion to Dismiss (**Doc. 7**) is **GRANTED**, and this case is **DISMISSED WITH PREJUDICE**.

IT IS SO ORDERED.

May 19, 2023

s/Cathy Bissoon
Cathy Bissoon
United States District Judge

cc (via First-Class U.S. Mail):

Stanley Sadowski, Jr.
64 Third St.
Lawrence, PA 15055

cc (via ECF email notification):

All Counsel of Record